

ATTORNEY DOCKET NO: MUR-046-USA-P

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as states below next to my name: that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

The specification of which is ☒ attached and/or ☐ was filed onas application Serial No. and was amended on (if applicable)
☒ international (PCT) application No. PCT/JP03/10504 filed Aug. 20, 2003
and as amended on(if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NUMBER | DATE OF FILING | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |
|---------|--------------------|----------------|---|
| JAPAN | 2002-255682 | Aug. 30, 2002 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the matter provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION NUMBER | DATE OF FILING | STATUS(Patented, Pending, Abandoned) |
|--------------------|----------------|--------------------------------------|
| | | |

I hereby appoint the follow attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Law Office of Townsend & Banta: Donald E. Townsend, Registration No. 22,069; Donald E. Townsend, Jr. Registration No. 43,198. Please address all correspondence to the Law Office of Townsend & Banta, Suite 900, South Building, 601 Pennsylvania Ave., N.W., Washington, D.C. 20004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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|---|--|--|--|---------------------------------|
| FULL NAME OF SOLE OR FIRST INVENTOR KURIBAYASHI, Mitsuru | | INVENTOR'S SIGNATURE <i>Mitsuru Kuribayashi</i> | | DATE <u>January 31, 2005</u> |
| RESIDENCE c/o Tsukuba Laboratory of Hisamitsu Pharmaceutical Co., Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, Ibaraki 305-0856 JAPAN | | CITIZENSHIP JAPANESE | | |
| POST OFFICE ADDRESS [Blank] | | | | |
| FULL NAME OF SECOND JOINT INVENTOR, IF ANY IKEDA, Shuichi | | INVENTOR'S SIGNATURE <i>Shuichi Ikeda</i> | | DATE <u>February 7, 2005</u> |
| RESIDENCE c/o Tsukuba Laboratory of Hisamitsu Pharmaceutical Co., Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, Ibaraki 305-0856 JAPAN | | CITIZENSHIP JAPANESE | | |
| POST OFFICE ADDRESS [Blank] | | | | |

Listing of inventors Continued on Page 2 hereof. ☒ Yes ☐ No

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25 FEB 2005

invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hand(s).

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|-----|---|--|---------------------------------|
| 1-w | 1. Full Name of Sole or First Assignor KURIBAYASHI, Mitsuru | Assignor's Signature <i>Mitsuru Kuribayashi</i> | Date <i>January 31, 2005</i> |
| | Address c/o Tsukuba Laboratory of Hisamitsu Pharmaceutical Co., Inc., 25-11, Kannondai 1-chome, Tsukuba-shi, Ibaraki 305-0856 JAPAN | | Citizenship JAPANESE |
| 2-w | 2. Full Name of Second Assignor, if any IKEDA, Shuichi | Assignor's Signature <i>Shuichi Ikeda</i> | Date <i>February 7, 2005</i> |
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| 3-w | 3. Full Name of Third Assignor, if any TOKUMOTO, Seiji | Assignor's Signature <i>Seiji Tokumoto</i> | Date <i>January 31, 2005</i> |
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| 4-w | 4. Full Name of Fourth Assignor, if any MORI, Kenji | Assignor's Signature <i>Kenji Mori</i> | Date <i>January 31, 2005</i> |
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| 5-w | 5. Full Name of Fifth Assignor, if any HIGO, Naruhito | Assignor's Signature <i>Naruhito Higo</i> | Date <i>January 31, 2005</i> |
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| | 6. Full Name of Sixth Assignor, if any | Assignor's Signature | Date |
| | Address | | Citizenship |
| | 7. Full Name of Seventh Assignor, if any | Assignor's Signature | Date |
| | Address | | Citizenship |

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